

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE



SEP 21 2017

KYLE LYDELL CANTY
Plaintiff,

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY
Case No. 2:16-cv-01655-
RAJ-JPD

VS.

CITY OF SEATTLE, et al
Defendants.

PLAINTIFF'S
PROPOSED
MOTION
PURSUANT TO
42 C.F.R. 2.23
VIOLATIONS
"ORAL ARGUMENT
REQUESTED"
NOTE ON MOTION
CALENDAR
SEPTEMBER 2017

COMES NOW, the Plaintiff Kyle Lydell Canty
In Propria Persona, and of Sui Juris
on this 18th day of September year
2017, hereby moves this Court pursuant

to 42 C.F.R. 2.23 Violations

Relief Requested

The Plaintiff Kyle Lydell Canty requests

- (1) an apology from the defendants King County, it's employees, City of Seattle, and it's officers. This needs to be done via Certified letter time stamped signed and dated by a high ranking official of the mayor's office and King County executive branch.
- (2) Punitive monetary Compensation from both King County and City of Seattle in the sum of 100,000 = one hundred thousand dollars jointly or severally
- (3) a high ranking officer of the United States District Court Western District of Washington sign a order which prohibits King County and City of Seattle from misinterpreting and misquoting maliciously

and intentionally Codes of Federal Regulations C.F.R. in order to gain illegal access to the patient's medical records without written or verbal consent of the patient him/herself "Protected health information"

Statement of issues

For reasons that are very clear, but not wise the defendants King County and its employees along with City of Seattle and its officers have made it a routine habit to intentionally misinterpret and misquote Codes of Federal Regulations "C.F.R" both defendants King County and City of Seattle have been participating in this illegal activity for decades. Should the defendants be allowed to break the law and violate United States Citizens rights under The United States Constitution in order to illegally obtain Protected health information of the alleged patient that has some type of alleged made up disorder? How did Samantha Kanner obtain Protected health information without consent?

Evidence Relied Upon

The Plaintiff Kyle Lydell Canty relies on 42 C.F.R. 2.23 "Patient access and restrictions Sections (A) and (B), MR. Canty also relies on the fact that he never asked for Patient access to his own medical records "Protected health information, MR. Canty never signed, returned an answer, or expressed verbally Consent of the release of his "Protected health information. King County and it's employee Samantha Kanner Sent the Original fictitious Records Request/Authorization form and on it was MR. Canty's information along with Samantha Kanner's name and WSBA# MR. Canty still has the unsigned form in his possession. The Plaintiff most importantly relies on the Third Declaration of Samantha Kanner WSBA# 36943 Signed and dated, She Claims Quote "I Sent MR. Canty a letter regarding My motion to Seal his mental health records" How did Samantha Kanner obtain the records?

Statement of facts

- (1) The Plaintiff Kyle Lydell Canty never signed, consented in writing or verbally, acknowledged, or filled out King County's fictitious Patient Authorization form.
- (2) The Plaintiff Kyle Lydell Canty never signed, consented in writing or verbally, acknowledged, or filled out any medical Records request/Authorization form for this Civil Case No. 2:16-cv-01655 RAJ-JPD
- (3) The Plaintiff Kyle Lydell Canty never consented to release Drug or alcohol use, HIV (AIDS) testing/treatment, Confirmed STD test results and/or treatment, Custodian of Records Declaration of Authenticity, Ambulance Records, Immunization Records Other Any and all
- (4) The Plaintiff Kyle Lydell Canty was waiting for the defendants King County and City of Seattle to do just this "yet again"

Legal Argument

The Plaintiff' Kyle Lydell Canty'S Questions for the Hon. James P. Donohue, and the Hon. Richard A. Jones are

(A) Does 42 C.F.R. 2.23 - Patient access and restrictions on use exist or is the Code of Federal Regulations a myth?

(B) Is it against Federal, State, and international laws to illegally obtain protected health information or ~~are~~ these laws also a myth and really don't exist

(C) Does King County, it's employee's, the City of Seattle, and it's officers have the right to also request CD/DVD version of the Patients protected health information which (requires PDF viewer) in order to add, subtract protected health information that can make or break this civil Case No. 2:16-CV-01655-RAJ-JPD?

Conclusion

The Plaintiff has already viewed his own protected health information regarding these sensitive issues, over a year and a half ago, also the Plaintiff has the real copy of the medical records in question in a secret undisclosed location and will not be using anything that the defendants claim is a true copy, the defendants King County and the City of Seattle is citing that it's in compliance but clearly likes to not get consent to obtain protected health information. The Plaintiff hopes they found what they were looking for maybe an address?

Judges Signature

X

Prepared by:

2/09/18/2017

Kyle Lydell Canty

Doc# 401358, E107

Washington Corrections Center

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Shelton, WA 98584

Alle Lydell Canty
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Clerk, of Judge
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